

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-7 are pending in this application. Claims 1 and 5-7, which are independent, are hereby amended. No new matter has been introduced. Support for this amendment can be found throughout the Specification as originally filed, and specifically on pages 20-21. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 6 and 7, which were rejected under 35 U.S.C. §101, have been amended thereby obviating the rejection.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-7 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,870,570 to Bowser (hereinafter, merely "Bowser") in view of U.S. Patent No. 6,993,782 to Newberry, et al. (hereinafter, merely "Newberry") and further in view of U.S. Patent No. 5,880,768 to Lemmons, et al. (hereinafter, merely "Lemmons").

Claim 1 recites, *inter alia*:

“A portable information terminal apparatus comprising:...

acquiring means for acquiring a plurality of pieces of
program information;

**wherein said acquiring means acquires said program
information by transmitting through a network, a request
including a unique user ID to a provider and acquires said
program information applicable to the user ID through said
network.”** (Emphasis added)

As understood by Applicants, Bowser relates to a system for transferring auxiliary data from a television receiver to a display device and a shared data device. The auxiliary data represents data in addition to the audio and video portions of a television program.

As understood by Applicants, Newberry relates to a system of defining, creating and decoding composite virtual channels which supports dynamic channel and event substitution. A method, for use in a decoder for acquiring a program conveyed on more than one broadcast channel, involves generating a program guide display. The program guide display lists programs being broadcast on a plurality of broadcast channels during specified broadcast time segments and also lists a particular program on both a first and a second broadcast channel. The particular program is acquired from the first broadcast channel in response to user selection of either of the first and second broadcast channels.

As understood by Applicants, Lemmons relates to an interactive program guide which can automatically tune a television, or program a VCR, based on program selections made from program schedule information displayed on a television or other suitable video monitor. A set-top box receives program schedule information and software from a headend telecasting center. Program schedule information for the current day and at least six subsequent days is stored in a memory within the set-top box. The interactive program guide provides a display

mode for allowing the viewer to apply a restrictive search selection criterion and a nonrestrictive sort attribute to the program schedule information.

Applicants respectfully submit that Bowser, Newberry and Lemmons, taken either alone or in combination, do not teach or suggest the above-identified features of claim 1. Specifically, Bowser, Newberry and Lemmons do not teach or suggest a portable information terminal apparatus comprising, an acquiring means for acquiring a plurality of pieces of program information, wherein said acquiring means acquires said program information by transmitting through a network, a request including a unique user ID to a provider and acquires said program information applicable to the user ID through said network, as recited in independent claim 1.

The portion of Lemmons relied upon by the Office Action (column 19, lines 9-14), merely discloses creation and storage of several different favorite channel line-ups. The channel line up is stored and retrieved from memory 76 of set-top box 70. The present application, however claims transmitting through a network, a request including a unique user ID to a provider and receiving program information applicable to the user ID through the network.

Therefore, Applicants submit that independent claim 1 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 5-7 are also believed to be patentable.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the

invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION


In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference, or references it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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